

REMARKS

Claims 1-5, 7-9, 11-16, 18-20 and 22-24 are pending in the application. Claims 1, 2 and 13 have been amended as set forth above. Support for the amendments is detailed below. Claims 6, 10, 17, 21 were previously cancelled.

Applicants' Response to the Claim Objection

Claim 12 is objected to for the informality of reciting "an wire" which should be --a wire-- in line 3.

Applicants have herein corrected claim 12 accordingly.

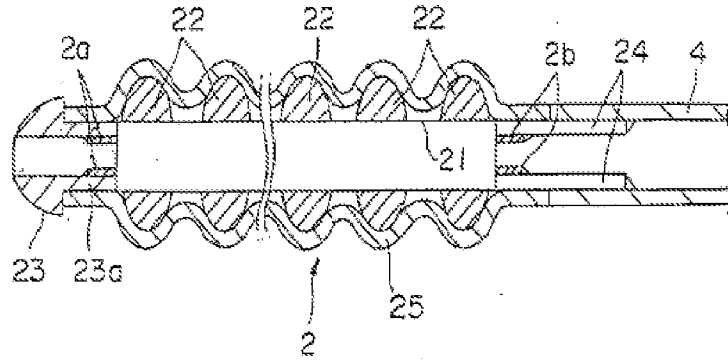
Applicants' Response to the Claim Rejections under 35 U.S.C. §102

Claims 1, 2, 4, 5, 7-9, 11-13, 15, 16, 18-20, 22 and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Takehana et al. (US 4930494).

In response thereto applicants respectfully submit that Takehana does not provide anticipate the present invention as now claimed for at least the reason that Takehana does not disclose each and every feature of the claims either expressly or inherently.

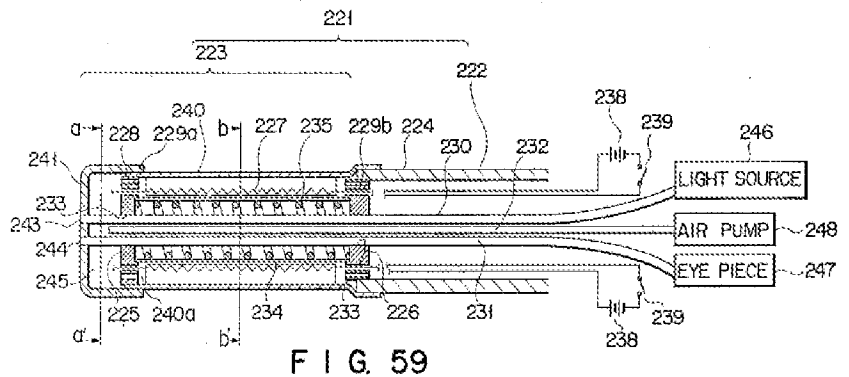
Specifically, Takehana at least fails to provide for the feature of parent claims 1, 2 and 13 that the outer skin tube has a plurality of constrictions, and the circular weights are built in the constructions.

For example, as set forth in one possible embodiment of the present invention as depicted in Fig. 2(b) (reproduced to the right) and described at page 9, lines 13 and 14, the outer skin tube (25) has a plurality of



constrictions, and the circular weights (22) are built in the constrictions. As seen in Fig. 2(b), the outer skin tube (25) of the present invention has a concavo-convex surface. Specifically, the outer skin tube (25) has a plurality of constrictions in which the circular weights (22) are included. See also Fig. 10.

Takehana does not provide for this feature of the claimed invention. As set forth at page 2 of the Office Action, the present rejection relies primarily upon the



depiction of Fig. 59 of Takehana. As can be seen in the acted reproduction of Fig. 59 (right), the outer skin tube 240 of Takehana does not have a concave-convex surface.

This structural distinction results in the functionality that in the present invention, the outer skin tube (25) between weight (22) and adjacent weight (22) is formed to be narrow; and therefore, the tube is easy to bend. Contrary, since the outer skin tube (240) of Takehana does

not have any constriction, it requires more force to bend the tube compared with the present invention.

Under U.S. patent law regarding 35 U.S.C. §102: "unless a reference discloses within the four corners of the document not only all of the limitations claimed but also all of the limitations arranged or combined in the same way as recited in the claim, it cannot be said to prove prior invention of the thing claimed and, thus, cannot anticipate under 35 U.S.C. § 102." *Net MoneyIN, Inc. v. VeriSign, Inc.*, 545 F.3d 1359, 1371 (Fed. Cir. 2008). As Takehana does not provide for all the features of parent claims 1, 2 and 13 as now presented, the reference cannot be considered to anticipate these claims nor their respective dependent claims. Wherefore, favorable reconsideration is respectfully requested.

Applicants' Response to the Claim Rejections under 35 U.S.C. §103

Claims 3, 14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takehana as applied to claims 2 and 13 above, in view of McCoy (US 5114402).

Applicants respectfully submit that by addressing the rejection of parent claims 2 and 13 as noted above, likewise the rejection of claims 3, 14 and 24 are addressed by nature of the claims' dependencies.

Application No.: 10/582,355
Art Unit: 3739

Amendment under 37 C.F.R. §1.116
Attorney Docket No.: 062648

CONCLUSION

In view of the foregoing amendments and accompanying remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,
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